

REMARKS

In response to the Final Office Action dated February 25, 2009, and in response to the Request for Continued Examination filed herewith, Applicant has amended claims 8 and 16. Claims 8-12 and 15-19 are pending.

In paragraph 3 on page 5 of the Office Action, claims 8-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Day in view of Chowdhury, DeMoney Katinsky.

Applicant respectfully traverses the rejection.

Independent claim 8 sets forth a session manager, for interacting with said subscriber equipment and maintaining a plurality of play lists, wherein each playlist is associated with a respective subscriber, said playlist defining a plurality of content streams to be provided to said subscriber equipment, said playlist further identifying reverse and fast-forward streams associated with each one of said plurality of content streams, each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content streams, wherein said splicing entry and exit points are identified within transport packet headers of each one of said plurality of content streams, a server, for storing content streams and a server controller for retrieving from said server, content streams defined by said playlist, said content streams being sequentially provided to said subscriber equipment. The server controller, in response to a remaining portion of a current content stream being provided to said subscriber equipment being below a threshold, communicates a termination notification to said session manager,. The session manager, in response to said termination notification, communicates a request to said

server controller identifying from said playlist a next content stream to be provided to said subscriber equipment. The session manager maintains said playlist after content streams defined by said playlist have been provided to said subscriber equipment. The session manager further modifies said playlist in response to playlist modification commands received from said subscriber equipment, wherein a next content stream in said playlist is spliced at an entry point associated with an exit point of a current content stream being provided to said subscriber equipment. Independent claim 16 sets forth similar elements.

Day fails to disclose, teach or suggest a session manager that maintains said playlist after content streams defined by said playlist have been provided to said subscriber equipment. Rather, Day merely discloses a user may select a plurality of video files and once all of the video files have the same operating characteristics, a playlist is prepared. However, Day does not indicate that the playlist is maintained for the subscriber or that any information is maintained that would allow the subscriber to access the playlist at a different time after the content streams defined by the playlist have been provided to the subscriber equipment.

Day further fails to communicate a termination notification to the session manager when a remaining portion of a current content stream provided to the subscriber equipment falls below a threshold. Day also fails to communicate a request to said server controller identifying from said playlist a next content stream to be provided to said subscriber equipment. The Office Action admits that Day fails to suggest such communication. However, the Final Office Action relies on Chowdhury to supply this teaching. Chowdhury will be address below.

Thus, Day fails to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

Chowdhury fails to overcome the deficiencies of Day. Chowdhury is merely cited as disclosing communicating a completion notification. However, Chowdhury fails to suggest communicating a request to said server controller identifying from said playlist a next content stream to be provided to said subscriber equipment.

Chowdhury also fails to suggest a session manager that maintains said playlist after content streams defined by said playlist have been provided to said subscriber equipment.

Thus, Day and Chowdhury, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

DeMoney fails to overcome the deficiencies of Day and Chowdhury. DeMoney is merely cited as disclosing modifying the playlist in response to playlist modification commands. However, DeMoney fails to suggest a session manager that maintains said playlist after content streams defined by said playlist have been provided to said subscriber equipment. Further, DeMoney fails to suggest communicating a request to said server controller identifying from said playlist a next content stream to be provided to said subscriber equipment.

Thus, Day, Chowdhury and DeMoney, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

Katinsky fails to overcome the deficiencies of Day, Chowdhury and DeMoney. Rather, Katinsky is merely cited as disclosing the ability to modify a playlist. However, Katinsky fails to disclose, teach or suggest a session manager that maintains

a plurality of play lists, wherein each playlist is associated with a respective subscriber.

Katinsky also fails to disclose, teach or suggest that each content stream includes a plurality of splicing entry and exit points identified within transport packet headers. Katinsky further fails to communicate a termination notification to the session manager when a remaining portion of a current content stream provided to the subscriber equipment falls below a threshold.

Thus, Day, Chowdhury, DeMoney and Katinsky, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

Dependent claims 9-12, 15 and 17-19 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 8 and 16, respectively. Further dependent claims 9-12, 15 and 17-19 recite additional novel elements and limitations. Applicant reserves the right to argue independently the patentability of these additional novel aspects. Therefore, Applicant respectfully submits that dependent claims 9-12, 15 and 17-19 are patentable over the cited references.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No.

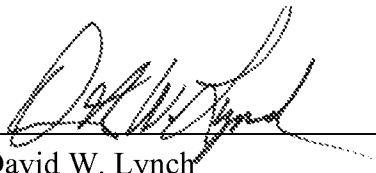
U.S. Patent Application Serial No. 09/458,319
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13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly,
extension of time fees.

Respectfully submitted,

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